

REMARKS

Claims 40-55 are pending in the application.

Claims 40-55 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,395,623 and over claims 1-16 of U.S. Patent No. 6,635,558.

A timely-filed terminal disclaimer in compliance with 37 CFR 1.321(c) is enclosed to overcome the obviousness-type double patenting rejections. Said disclaimer also provides information that the conflicting patents are shown to be commonly owned with this application. In view of the foregoing and the submission of the Terminal Disclaimer, withdrawal of the obviousness-type double patenting rejections against claims 40-55 is requested.


No other rejections are presented against claims 40-55, and therefore, claims 40-55 are allowable.

Further, Applicant herewith submits a duplicate copy of the Supplemental Information Disclosure Statement and Form PTO-1449 filed in this application on May 11, 2004. No initialed copy of the PTO-1449 has been received back from the Examiner. To the extent that the submitted references listed on the Form PTO-1449 have not already been considered, and the Form PTO-1449 has not been initialed with a copy being returned to Applicant, such examination and initialing is requested at this time, as well as return of a copy of the initialed Form PTO-1449 to the undersigned.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

Dated: 1-18-05

By: 
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